

**IN THE UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

In re

Chapter 9

CITY OF DETROIT, MICHIGAN,

Case No. 13-53846

Debtor.

Hon. Thomas J. Tucker

**CERTIFICATION OF NO RESPONSE OR OBJECTION REGARDING CITY OF
DETROIT'S MOTION FOR THE ENTRY OF AN ORDER (I) ENFORCING THE PLAN
OF ADJUSTMENT INJUNCTION AND (II) REQUIRING THE DISMISSAL WITH
PREJUDICE OF THE FEDERAL COURT ACTION FILED BY JEROME COLLINS TO
THE EXTENT IT SEEKS RELIEF AGAINST THE CITY OF DETROIT OR
PROPERTY OF THE CITY OF DETROIT [DOC. NO. 10030]**

On July 8, 2015, the City Of Detroit ("City") filed its Motion For The Entry Of An Order (I) Enforcing the Plan Of Adjustment Injunction and (II) Requiring the Dismissal With Prejudice Of the Federal Court Action Filed By Jerome Collins To the Extent It Seeks Relief Against the City Of Detroit Or Property Of the City Of Detroit ("Motion"). [Doc. No. 10030]. The Motion was served via first class mail and electronic mail upon counsel for Jerome Collins on the same date. *See Certificate of Service* Exhibit A.

No response or objection to the Motion was filed with the Court and the time to do so has passed. The City respectfully requests that the Court enter an order in substantially the same form as the one which was attached to the Motion. *See Proposed Order* Exhibit B.

Respectfully submitted,

By: /s/ Marc N. Swanson

Jonathan S. Green (P33140)
Marc N. Swanson (P71149)
MILLER, CANFIELD, PADDOCK AND
STONE, P.L.C.
150 West Jefferson, Suite 2500
Detroit, Michigan 48226
Telephone: (313) 496-7591
Facsimile: (313) 496-8451
green@millercanfield.com
swansonm@millercanfield.com

Charles N. Raimi (P29746)
Deputy Corporation Counsel
City of Detroit Law Department
2 Woodward Avenue, Suite 500
Coleman A. Young Municipal Center
Detroit, Michigan 48226
Telephone: (313) 237-5037
Facsimile: (313) 224-5505
raimic@detroitmi.gov

ATTORNEYS FOR THE CITY OF DETROIT

DATED: July 28, 2015

Exhibit A

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

In re:

City of Detroit, Michigan,
Debtor.

Bankruptcy Case No. 13-53846

Honorable Thomas J. Tucker

Chapter 9

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on July 8, 2015 the foregoing City of Detroit's Motion for the Entry of an Order (I) Enforcing the Plan of Adjustment Injunction and (II) Requiring the Dismissal with Prejudice of the Federal Court Action filed by Jerome Collins to the extent it Seeks Relief against the City of Detroit or Property of the City of Detroit was filed and served via the Court's electronic case filing and notice system and served upon counsel as listed below, via first class mail and electronic mail:

Benjamin Whitfield, Jr
Benjamin Whitfield, Jr. & Associates, PC
547 East Jefferson Avenue
Detroit, MI 48226
Benwlaw123@aol.com

DATED: July 8, 2015

By: /s/ Marc N. Swanson

Marc N. Swanson
150 West Jefferson, Suite 2500
Detroit, Michigan 48226
Telephone: (313) 496-7591
Facsimile: (313) 496-8451
swansonm@millercanfield.com

Exhibit B

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

In re:

City of Detroit, Michigan,

Debtor.

Bankruptcy Case No. 13-53846

Honorable Thomas J. Tucker

Chapter 9

**[PROPOSED] ORDER GRANTING CITY OF DETROIT’S MOTION FOR THE ENTRY
OF AN ORDER (I) ENFORCING THE PLAN OF ADJUSTMENT INJUNCTION AND
(II) REQUIRING THE DISMISSAL WITH PREJUDICE OF THE FEDERAL COURT
ACTION FILED BY JEROME COLLINS TO THE EXTENT IT SEEKS RELIEF
AGAINST THE CITY OF DETROIT OR PROPERTY OF THE CITY OF DETROIT**

This matter, having come before the court on the City of Detroit’s Motion for the Entry of an Order (I) Enforcing the Plan of Adjustment Injunction and (II) Requiring the Dismissal with Prejudice of the Federal Court Action filed by Jerome Collins to the Extent it Seeks Relief Against the City of Detroit or Property of the City of Detroit (“Motion”), upon proper notice and a hearing, the Court being fully advised in the premises, and there being good cause to grant the relief requested,

THE COURT ORDERS THAT:

1. The Motion is granted.
2. Within five days of the entry of this Order, Jerome Collins shall dismiss, or cause to be dismissed, with prejudice, Case No 15-11756 filed with the United States District Court for the Eastern District of Michigan, Southern Division, and captioned *Jerome Collins vs. City of Detroit, Detroit Police Department, Ralph Godbee, former Police Chief, Mattie Lewis, former Police Officer, and John Does, whose identities are presently unknown* (“Federal Court Action”) to the extent it seeks any relief against the City or property of the City.
3. Jerome Collins is permanently barred, estopped and enjoined from asserting any claims described in the Federal Court Action, or the alleged conduct forming the basis of the

Federal Court Action, against the City of Detroit or property of the City of Detroit, in the Federal Court Action or in any other action or proceeding.

4. Jerome Collins is prohibited from sharing in any distribution in this bankruptcy case.

5. The Federal Court Action was commenced and prosecuted in violation of the Plan injunction as it pertains to the City and its property.

6. The Court shall retain jurisdiction over any and all matters arising from the interpretation or implementation of this Order.